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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James A. Proctor, Jr.

Application No.: 10/767,843 Group: 2661

Filed: January 29, 2004 Examiner: Not assigned

Confirmation No.: 2970

For: Method for Compensating for Multi-Path of a CDMA Reverse Link Utilizing an Orthogonal Channel Structure

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

Feb. 11, 2005

Date

Elaine Leahy

Signature

Elaine Leahy

Typed or printed name of person signing certificate

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Preliminary Amendment for filing in the above-identified application.

- Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)	(COL. 2)	(COL. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	21	MINUS * 21	0	X \$ 25 \$
<b>FIRST PRESENTATION OF MULTIPLE DEP. CLAIM</b>				
INDEP	3	MINUS ** 3	0	X \$100 \$
			+	\$180 \$

\* not fewer than 20

\*\* not fewer than 3

TOTAL = \$ 0TOTAL = \$ 0

**Petition for Extension of Time**

- Applicant hereby petitions to extend the time to respond to the [ ] dated [ ] for [ ] months from [ ] to [ ]. The appropriate fee of \$ [ ] is included in the enclosed check.
- A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee
- Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check.

**Please charge Deposit Account No. 08-0380 for the following fees:**

<input type="checkbox"/> Petition for [ ] month Extension of Time	\$ _____
<input type="checkbox"/> Amendment Fee	\$ _____
<input type="checkbox"/> Other Fees: _____	\$ _____
	\$ _____
	\$ _____
	TOTAL: \$ <u>      0      </u>

**A check is enclosed in payment of the following fees:**

<input type="checkbox"/> Petition for three month Extension of Time	\$ _____
<input type="checkbox"/> Amendment Fee	\$ _____
<input type="checkbox"/> Other Fees: _____	\$ _____
	\$ _____
	\$ _____
	TOTAL: \$ <u>      0      </u>

- [X] A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

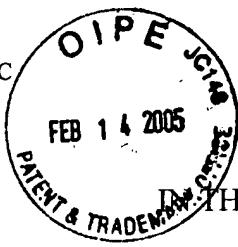
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: 2/11/05



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PRELIMINARY AMENDMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please amend the application as follows: